

## REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 5, 6, and 9 through 17 are pending, with Claims 1 and 10 being independent. Claims 2 through 4, 7, and 8 have been cancelled without prejudice. Claims 1, 5, 6, 9, and 10 have been amended. Claims 11 through 17 have been added. As for the amendments, Applicant respectfully directs the Examiner's attention to, e.g., Figs. 6A and 6B. Of course, the claims are not limited to the disclosed embodiments.

The disclosure was objected to for informalities. The Official Action suggested that several instances of "Fig. 1" be changed to --Fig. 2--. The specification has been amended as kindly suggested.

Claims 1 through 10 were variously rejected under 35 U.S.C. § 103 over U.S. Patent Nos. 5,771,329 (Yun), 6,802,074 B1 (Mitsui, et al.), 5,543,933 (Kang, et al.), 6,792,617 B2 (Gorbatov, et al.), and 6,317,882 B1 (Robbins). All rejections are respectfully traversed.

Claim 1 recites, *inter alia*, measuring a time period during which the channel is selected in a case where the channel is selected, and performing control to record the program in a case where the measured time period exceeds the elapsed time threshold that is set.

Claim 10 recites, *inter alia*, measuring a selected time of the selected channel, and recording the program in a case where the selected time exceeds the elapsed time threshold that is set.

However, Applicant respectfully submits that none of Yun, Mitsui, et al., Kang, et al., Gorbatov, et al., and Robbins, even in the proposed combinations, assuming, *arguendo*, that the documents could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 1 and 10.

Applicant respectfully submits that Yun shows, e.g., stopping recording of “A” channel when another channel is selected, counting the time, and if “A” channel is selected again *before* a predetermined time, resuming recording “A” channel. However, Applicant respectfully submits that such does not constitute measuring a time of the *selected* channel and recording if such exceeds the set threshold.

Applicant respectfully submits that Mitsui, et al. shows, e.g., that if an operator instructs the recording apparatus to start recording of program B whose recording is prohibited and then selects the program A whose recording is permitted, the recording apparatus detects the timing when the broadcast program A is selected; if the operator then selects broadcast program B again, the recording apparatus detects the timing, and calculates the difference between these timings, and whether the difference exceeds a predetermined time period, in which case recording is performed (e.g., col. 12); however, Applicant respectfully submits that such provides neither a description nor a suggestion of at least the above-discussed claimed features.

And even if Yun and Mitsui, et al. could be combined, *arguendo*, Applicant respectfully submits that the combination would be likewise deficient.

The remaining documents, Kang, et al., Gorbatov, et al., and Robbins, are also submitted by Applicant to fail to remedy the deficiencies of Yun and Mitsui, et al.

Applicant also respectfully submits that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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